BOARD OF AUCTIONEERS MINUTES Legislative Office Building Room 308, Concord, NH May 3, 2010 9:00 a.m.

- 1. The Board of Auctioneers convened at 9:00 a.m. with Chairperson Devin E. Moisan, Vice-Chairperson Jay T. St. Jean, Secretary Frank L. Eaton, Member Richard C. Berman and member Ashton E Welch present.
- 2. The Board did not recess to meet with counsel because it met with council prior to the Public meeting.
- 3. The Board on motion of Jay T. St. Jean, seconded by Ashton E. Welch, accepted the minutes of the April 5, 2010 meeting.
- 4. The Board deliberated regarding the hearing "In the Matter of Stephen Bennett" docket #10-01, held on April 5, 2010. The results were as follows:
 - The Board on motion of Frank L. Eaton, seconded by Ashton E. Welch found Mr. Bennett in violation of RSA 311-B:11 II (c). All members voted in favor.
 - The Board on motion of Ashton E. Welch, seconded by Richard C. Berman found Mr. Bennett in violation of RSA 358-G II. All members voted in favor.

Richard C. Berman made a motion to revoke the license of Stephen Bennett, there being no second, the motion fails.

Ashton E. Welch made a motion to suspend the license of Stephen Bennett with a one year probation period without any other violations or the license will be revoked, there being no second, the motions fails.

Frank L. Eaton, seconded by Ashton E. Welch voted to suspend the license of Stephen Bennett for 90 days, with a two year probation period. If there are any further violations during the two year probation period his license will be revoked.

Richard C. Berman voting **NO** to the previous motion, put forth a motion to amend the 90 day suspension to 120 days suspension with a two year probation period. If there are any further violations during the probation period, his license will be revoked. There being no second this motion fails.

The motion for 90 days suspension and a 2 year probation period without any other violations or his license will be revoked, passes.

- 5. The Board deliberated regarding the hearing "In the Matter of Harold French" docket #10-02, held on April 5, 2010. The results were as follows:
 - The Board on motion of Frank L. Eaton, seconded by Richard C. Berman found Mr. French in violation of RSA 311-B:11 II (c). Ashton E. Welch voted **no**.
 - The Board on motion of Ashton E. Welch, seconded by Richard C. Berman found Mr. French in violation of RSA 358-G II. Frank L. Eaton voted **no**.

A motion by Ashton E. Welch, seconded by Frank L. Eaton was made to issue a letter of reprimand. Frank L. Eaton withdrew his second for discussion purposes. After discussion Frank L. Eaton reinstated his second to issue the letter of reprimand, with Richard C. Berman and Devin E. Moisan voting **no.** The motion fails.

A motion by Richard C. Berman was made to revoke the license of Harold French. There being no second, the motion fails.

A motion by Richard C. Berman was made to issue a six month suspension with a one year probation period. If there are any further violations during the one year probation period the license will be revoked. There being no second, the motion fails.

A motion by Frank L. Eaton, seconded by Richard C. Berman was made to issue a letter of reprimand and one year probation. If there are any further violations during the one year probation period, his license will be suspended. All members voted in favor.

- 6. The Board on motion of Frank L. Eaton, seconded by Ashton E. Welch, **denied** the application of Peters P. Jones for an Auctioneers License, and requested completion of the recommendation forms. The Board on motion of Ashton E. Welch, seconded by Jay T. St. Jean voted to reconsider the application. After discussion, the Board on motion of Frank L. Eaton, seconded by Jay T. St. Jean voted to **approve** the application of Peters P. Jones for an Auctioneers License.
- 7. The Board on motion of Frank L. Eaton, seconded by Ashton E. Welch, authorized the application of Alan R. Webster for an Auctioneers License.
- 8. The Board on motion of Frank L. Eaton, seconded by Ashton E. Welch, and further on a roll call vote as follows: Richard C. Berman yes, Jay T. St. Jean yes, Ashton E. Welch yes, Devin E. Moisan yes, and Frank L. Eaton yes, voted to go into non-public session to discuss matters under RSA 91-A, specifically, matters which would likely adversely affect the privacy of individuals and or matters in which litigation has been threatened against the Board.
- 9. The Board on motion of Jay T. St. Jean, seconded by Frank L. Eaton voted to come out of non-public session.
- 10. The Board on motion of Jay T. St. Jean, seconded by Ashton E. Welch voted to hear the case "In the matter of Roscoe Putnam" at the next meeting scheduled for June 7, 2010. The Board on motion of Jay T. St. Jean, seconded by Frank L. Eaton, voted to appoint Richard C. Berman as the prosecutor for this case.

The next scheduled monthly meeting will be held June 7, 2010 at the Legislative Office Building, Room 308, Concord, New Hampshire.

The Board on motion of Jay T. St. Jean seconded by Frank L. Eaton voted to adjourn the meeting.